UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

| UNITED STATES OF AMERICA, |) |
|---------------------------|------------------------------|
| Plaintiff, |) |
| VS. |) Case No. 4:20-CR-00767-HEA |
| |) |
| ALPHONZO TAYLOR, |) |
| Defendant. |) |

DEFENDANT'S SENTENCING MEMORANDUM AND REQUEST FOR DOWNWARD VARIANCE

Defendant, Alphonzo Taylor, through his attorney, Shawn A. Goulet, offers this sentencing memorandum in support of his request to this Honorable Court for a downward variance from the prescribed guideline range pursuant to 18 USC 3553(a).

Background

On February 2,2022, it is anticipated Mr. Taylor will plead guilty to two counts of a two-count indictment. Count 1 charged Felon in Possession of a Firearm. In violation of 18 U.S.C. 924 (g)(1) and 18 U.S.C. 924 (a)(2). Count 2 charged Felon in Possession of Ammunition, in violation of 18 U.S.C. 922(g)(1) and 18 U.S.C. 924(a)(2). As calculated by the Probation Office, the Pre-Sentence Report reflects a total offense level of 21 with a criminal history category of III resulting in a presumptive guideline range of 46 to 57 months.

Downward Variance under 18 USC 3553(a)

Alphonzo comes in front of this court with one felony criminal conviction on his record. A constant factor that has run through his life up to this point is how hard his young life is been up to this point. The Presentence Investigation Report points out that the defendant started using marijuana at age 9 and than started using marijuana daily, he was also using alcohol and ecstasy at 17.

Alfonzo is a product of the streets of St. Louis, he never had a father figure growing up, his father was always in jail for drug charges. The men that he did observe were physical abusive toward his mother especially when they were using drugs (heroine). Alphonzo and his siblings were raised by his mother and his maternal great grandmother. Life was also hard financially the family went without food, struggled to keep on the utilities and proved shelter. No one was around to give guidance to this young boy/man, so the streets became the teacher, and the lessons were not good. Alphonso grew up in a violent and drug infested neighborhood and it shaped the way he saw the world. He dropped out of high school in 10th grade, which made his job choices extremely limited.

The factors of 18 USC 3553(a) allow "the court to look at the nature and circumstances of the offense and the history and characteristics of the defendant." The defense is very much aware that Alphonso's story is not a new one to this court or any court in St. Louis City. The reality is that we need to work on individuals like Alphonzo so that we may be able to produce a better community and future.

If the court gives the defendant an opportunity through a downward variance and sets up treatment programs for him this could be the defendants first real chance to live a life with a future instead of jail and death.

Conclusion

Mr. Taylor is asking this court to grant him a downward variance in this case.

Respectfully submitted,

/s/ Shawn A. Goulet Shawn A. Goulet Attorney for Defendant 7036 Kingsbury Blvd. St. Louis, MO 63130 Phone: 314-550-4937 Case: 4:20-cr-00767-HEA Doc. #: 38 Filed: 01/24/22 Page: 3 of 3 PageID #: 131

I certify that on January 24, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

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